

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO.: 5:11-cv-42**

**GEORGE G. JACKSON,**

**Plaintiff,**

**v.**

**WILKES COUNTY; WILKES COUNTRY SHERIFFS  
OFFICE; CITY OF WILKESBORO; CITY OF  
WILKESBORO POLICE DEPT.; STATE OF  
NORTH CAROLINA and ATTORNEY GENERAL  
ROY S. COOPER and NC ATTORNEY GENERALS  
FROM 1960 TO PRESENT; PARTICIPATING  
OFFICIALS FOR ALL DEFENDANTS IN THEIR  
OFFICIAL CAPACITY,**

**Defendants.**

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**THIS MATTER** is before the Court upon *pro se* Plaintiff's Motion for Protective Order, Motion for Relief from Judgment, and Motion for Hearing, all filed on October 4, 2013. (Doc. 43.) Defendants filed a Response in Opposition on October 17, 2013, (Doc. 44), and, with leave granted to file out of time (Doc. 47), Plaintiff filed a Reply on November 18, 2013. (Doc. 45.)

Plaintiff's motions will be denied for failing to comply with the requirements of Federal Rule of Civil Procedure 60(b). "[I]n order to obtain relief from a judgment under Rule 60(b), a moving party must show that his motion is timely, that he has a meritorious defense to the action, and that the opposing party would not be unfairly prejudiced by having the judgment set aside." *Park Corp. v. Lexington Ins. Co.*, 812 F.2d 894, 896 (4th Cir. 1987).

Here, Plaintiff has made no explanation for the more than year delay in filing this Motion following entry of the Clerk's Judgment on September 28, 2012. (Doc. 42.) Further, Plaintiff's

Motion fails to present any meritorious defenses to the action and instead reproduces the exact text of Rule 60(b) without any argument or presentation of facts in support. (Doc. 43 at 4.)

Finally, if the judgment were to be set aside, the substantial delay in the filing of this Motion would clearly be unfairly prejudicial to the Defendants. Plaintiff does not even attempt to argue otherwise.

### **CONCLUSION**

**IT IS, THEREFORE, ORDERED**, that Plaintiff's Motions for Protective Order, for Relief from Judgment, and for Hearing be **DENIED**.

Signed: March 25, 2014

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees  
United States District Judge

